

U.S. Appln. No. 09/972,816
Reply to Final Office Action dated June 19, 2007

PATENT
450104-02976

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS.

Claims 1-13, 15-18 and 20 are pending. Claims 1, 6, 11 and 16, which are independent are hereby amended. Support for this amendment is provided throughout the Specification and specifically at page 12. No new matter has been introduced.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-13, 15-18 and 20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,414,725 to Clarin, et al. (hereinafter, merely "Clarin") in view of U.S. Pub. No. 2001/0055336 to Krause, et al. (hereinafter, merely "Krause") in view of U.S. Patent No. 5,488,433 to Washino et al. (hereinafter, merely "Washino") and further in view of U.S. Patent No. 5,982,982 to Ono et al. (hereinafter, merely "Ono").

III. RESPONSE TO REJECTIONS

Claim 1 recites *inter alia*:

"...wherein the first data processing means, second data processing means, storing means and transmitting means perform their respective functions substantially simultaneously." (Emphasis Added)

Applicant submits the art used as a basis of rejection fails to teach or suggest this feature.

U.S. Appln. No. 09/972,816
Reply to Final Office Action dated June 19, 2007

PATENT
450104-02976

Specifically, the Office Action relies on Ono for a disclosure of transmitting encoded signals; however, Ono describes encoding the video signals at one rate, storing the encoded video signals on a disk and transmitting encoded video signals. (Encoded video signals at another rate have previously been provided by the magnetic tape in Ono's system.)

Indeed, the Office Action states that Ono stores encoded video signals in the buffer (13) and supplied to component (14). Applicant submits that the disclosure in Ono teaches away from the claimed invention in which the first data processing means, second data processing means, storing means and transmitting means perform their respective functions substantially simultaneously, as recited in claim 1.

Therefore, claim 1 is patentable.

Independent claims 6, 11 and 16 are similar, or somewhat similar, in scope and are patentable for similar, or somewhat similar, reasons.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner

Best Available Copy

12/20/2007 15:43 FAX 2125880500

FROMMER LAWRENCE & HAUG → PTO

014/014

U.S. Appln. No. 09/972,816
Reply to Final Office Action dated June 19, 2007

PATENT
450104-02976

specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By


Thomas F. Presson
Reg. No. 41,442
(212) 588-0800